

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

W. Edward Anderson, Steven D.)	
Cogburn, Darryl J. Hart, Carol L.)	
King, David N. Wilcox, Stephen L.)	
Pignatiello, and Weststar)	
Financial Services Corporation,)	
)	C.A. No. 1:12-156-HMH
Plaintiffs,)	
)	
G. Gordon Greenwood,)	
)	
Intervenor-Plaintiff,)	
)	
vs.)	ORDER
)	
The Cincinnati Insurance Company and)	
The Federal Deposit Insurance Corporation,)	
as Receiver for the Bank of Asheville,)	
)	
Defendants.)	

The parties have requested limited discovery on the issue of whether either party is entitled to summary judgment. At the hearing on September 25, 2012, counsel for both sides indicated that there should be very limited need for discovery as it pertains to summary judgment. Both sides indicated that only a few depositions would be required for that purpose.

Recently, the parties have scheduled several depositions to be completed by the end of October. In addition, Cincinnati Insurance Company identified numerous witnesses in the October 12, 2012 Report on Discovery that it may wish to depose. Currently, there are three depositions scheduled and more in the process of being scheduled. It appears that the

potential number of depositions far exceeds the estimate represented to the court at the September 25, 2012 hearing.

The court will extend the previously agreed upon deadline for limited discovery on the issue of summary judgment to November 16, 2012. Because both sides have indicated that the issue of summary judgment should be decided in the near future, the deadline for filing dispositive motions is December 3, 2012.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

Greenville, South Carolina
October 18, 2012